

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

LAURIE J. PRESLER

Case No. 1:21-01066

Plaintiff,

v

HON. JANE M. BECKERING

COUNTY OF NEWAYGO, a Municipal Corporation, SHERIFF BOB MENDHAM, DEPUTY ANDREW BIRD, SERGEANT JOHN BORGMAN, SERGEANT GABE SANCHEZ, DEPUTY DOE 1, DEPUTY DOE 2, in their individual and official capacities

MAG. PHILLIP G. GREEN

Defendants.

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DEFENDANTS' RESPONSE TO MOTION TO WITHDRAW AS PLAINTIFF'S COUNSEL

NOW COME Defendants, Newaygo County, Sheriff Bob Mendham, Deputy Andrew Bird, Sergeant John Borgman and Sergeant Gabe Sanchez, by and through their attorneys, Cummings, McClorey, Davis & Acho, P.L.C., and in response to Motion to Withdraw as Plaintiff's Counsel hereby state:

1. Admitted.
2. Admitted.

3. Admitted that discovery remains open until October 31, 2022. As to the remaining allegations, neither admitted nor denied as Defendants have insufficient information and/or belief upon which to form an answer and, therefore, leave Plaintiff to her proofs.
4. Plaintiff's allegation states a legal conclusion to which no answer is required from Defendants.
5. Admitted.
6. Neither admitted nor denied as Defendants have insufficient information and/or belief upon which to form an answer and, therefore, leave Plaintiff to her proofs.
7. Neither admitted nor denied as Defendants have insufficient information and/or belief upon which to form an answer and, therefore, leave Plaintiff to her proofs.
8. Neither admitted nor denied as Defendants have insufficient information and/or belief upon which to form an answer and, therefore, leave Plaintiff to her proofs.

**BRIEF IN RESPONSE TO DEFENDANTS' RESPONSE TO MOTION TO WITHDRAW
AS PLAINTIFF'S COUNSEL**

NOW COME Defendants, Newaygo County, Sheriff Bob Mendham, Deputy Andrew Bird, Sergeant John Borgman and Sergeant Gabe Sanchez, by and through their attorneys, Cummings, McClorey, Davis & Acho, P.L.C., and through their brief in support of their response to Motion to Withdraw as Plaintiff's Counsel hereby state:

The undersigned takes no position and leaves it to the Court's discretion regarding Plaintiff counsel's request to withdraw as the attorney of record. However, if the Court

grants Plaintiff counsel's Motion, Defendants request that Plaintiff be allowed 30 days to retain counsel.

Respectfully submitted,

CUMMINGS, McCLOREY, DAVIS & ACHO, P.L.C.

Dated: June 9, 2022

/s/ Allan C. Vander Laan

Allan C. Vander Laan (P33893)

Kristen L. Rewa (P73043)

Attorneys for Defendants